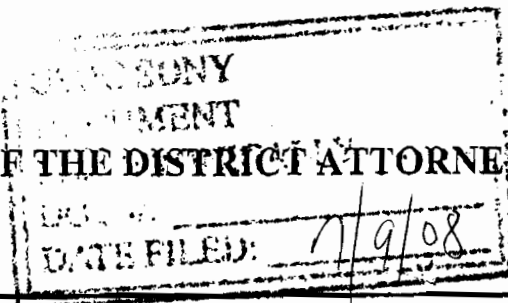




OFFICE OF THE DISTRICT ATTORNEY, Bronx County



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July 9, 2008

VIA FACSIMILE

Honorable Gabriel W. Gorenstein  
United States Magistrate Judge  
United States District Court  
Southern District of New York  
500 Pearl Street, Room 510  
New York, New York 10007

MEMORANDUM ENDORSED

Re: Mudd v. Connell  
08 Civ. 3896 (RJH)(GWG)

Your Honor:

This Office represents the respondent in the above-entitled pro se petition for a writ of habeas corpus. Pursuant to your Order, our response to the petition is due on July 15, 2008. I am requesting a one month extension, until August 15, 2008, in which to file our answer.

Unfortunately, this Office did not receive this Court's May 16 Order until several weeks later when it was sent to us from the Clerk's Office. Moreover, the assistant who answered petitioner's direct appeal is no longer in this Office. Although I have commenced familiarizing myself with all of the related state and federal proceedings in this matter, the additional time will enable me to provide the Court with a thorough and well-reasoned response.

Additionally, I am carrying a case docket which includes two direct appeals and a leave application pending in the Appellate Division, First Department, two direct appeals pending in the Appellate Term, First Department, and two New York Criminal Procedure Law §440.10 motions pending in the Supreme Court, Bronx County.

Accordingly, I respectfully request that our time in which to file an appropriate response in accordance with this Court's order be extended to August 15, 2008, and that petitioner continue to have thirty (30) days from the date on which he is served with our response, to file a response or traverse. This constitutes respondent's first request for an adjournment. Petitioner is proceeding pro se.

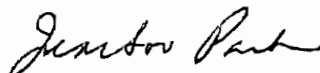
SO ORDERED, DATE: 7/17/08  
GABRIEL W. GORENSTEIN  
UNITED STATES MAGISTRATE JUDGE

Honorable Gabriel W. Gorenstein  
July 9, 2008

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Thank you for your consideration in this matter.

Respectfully submitted,



Jean Soo Park  
Assistant District Attorney

cc: Lawrence Mudd, pro se  
DIN# 05-A-5560  
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Rome, New York 13442-4580